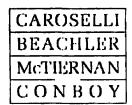
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CAROSFILI BEWOILER MCTIERN W. & CONBOY LLC 312 BOLLEVARD OF THE ALLIES • ELGITH PLOOF PITASCEGH, PENNSYLVANOR 15222-1910 412 301-9860 • 1-800-222-8816 • FAX 412-391-7453 E-Mail, info@cemclaw.com DAVID A. M. GOWAN\*\*
JOHN W. M. THENAN
JOANNA P. PARAZEKOS
MELISSA I. RI FILL
THOMAS G. SMITH
FRED C. SOILIS

CACHERINE A BAXTER SCHAN A MEREDITE

\* CAMPIELS MINIS W. \*\* AMERICAN A & O.

July 26, 2006

File No. 231009

VIA: Certified US Mail No. 7160 3901 9848 1785 6603

MUR# 5780

To:

Lawrence H. Norton, Esq. Federal Election Commission 999 E Street, NW Washington, DC 20463

In Re: Caroselli v. Santorum Victory Committee, et al.
Before the Federal Election Commission

Dear Mr. Norton:

Enclosed for filing is the original Complaint and supporting documentation in the above captioned matter.

If you have any questions, please call.

Very Truly Yours,

William R. Caroselli

WRC/sjh

Enclosure: (1) Complaint

4 10 11

## BEFORE THE FEDERAL ELECTION COMMISSION

William R. Caroselli,

Complainant,

٧.

Santorum Victory Committee, 228 South Washington Street Suite 115 Alexandria, VA 22314,

Keith Davis
Treasurer, Santorum Victory Committee
228 South Washington Street
Suite 115
Alexandria, VA 22314,

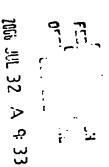
Republican Federal Committee of Pennsylvania 301 Market Street Suite 900 Harrisburg, PA 17101,

Santorum 2006, One Tower Bridge Suite 1440 West Conshohocken, PA 19420, and

Rick Santorum
One Tower Bridge
Suite 1440
West Conshohocken, PA 19420,

Respondents.

MUR No. 5780



#### **COMPLAINT**

Complainant files this complaint against the Santorum Victory Committee, Keith Davis, in his capacity as Treasurer; and the Republican Federal Committee of Pennsylvania; Santorum

2006; and Rick Santorum (collectively, "Respondents"), for violations of the Federal Election Campaign Act and Federal Election Commission regulations, as described below.

#### I. FACTS

- In February 2006, Santorum 2006, the authorized committee of Rick Santorum, issued a fundraising invitation to an event with President George W. Bush, at the home of Mr. and Mrs. Richard P. Simmons,

  Sewickley Heights,

  Pennsylvania. The disclaimer read: "Contributions are not tax deductible for federal income tax purposes. Paid for by Santorum 2006." The disclaimer was on one line, in small type, and it was not in a printed box.
- On or about May 15, 2006, the Santorum Victory Committee, a joint fundraising committee affiliated with Santorum 2006 Inc. and the Republican Federal Committee of Pennsylvania, sent out an invitation to an event featuring First Lady Laura Bush on June 13, 2006, at

  Villanova, Pennsylvania. The disclaimer on the invitation read, in full:

Paid for by Santorum Victory Committee, a joint fundraising committee established on behalf of Santorum 2006 and the Republican State Committee of Pennsylvania. Federal law requires us to report the name, address, occupation and employer of each contributor who gives more than \$200 in a calendar. [sic] Contributions are not tax deductible. Corporate contributions are prohibited.

All of the text was inside a printed box. The invitation is attached to this Complaint.

On or about May 2005, Santorum 2006 sent an invitation regarding an event on June 14, 2005, at 11:00 a.m., at the home of Hilarie and Mitchell Morgan. The invitation read "Santorum 2006," and replies and contributions were to be sent to Santorum 2006. At the same time, Victory 2006, a segregated fund account of the Republican State Committee of Pennsylvania, issued an invitation for the exact same event, except that contributions were to be sent to the Republican Federal Committee of Pennsylvania instead of Santorum 2006. Both invitations are attached to this Complaint.

#### II. ARGUMENT

#### A. Legal Background

11 C.F.R. § 110.11(b)(1) requires that public communications paid for and authorized by an authorized committee of a candidate include a disclaimer that "must clearly state that the communication has been paid for by the authorized political committee." 11 C.F.R. § 110.11(c)(2)(ii) further requires that for printed communications, the disclaimer "must be contained in a printed box set apart from the other contents of the communication."

11 C.F.R. § 102.17(a)(1)(i) requires that political committees that engage in joint fundraising "shall either establish a separate committee or select a participating committee, to act as fundraising representative for all participants."

11 C.F.R. § 102.17(c)(2)(i) requires that every solicitation for contributions from a joint fundraising committee include the following:

- (A) The names of all committees participating in the joint fundraising activity whether or not such committees are political committees under 11 CFR 100.5; and
- (B) The allocation formula to be used for distributing joint fundraising proceeds; and
- (C) A statement informing contributors that, notwithstanding the stated allocation formula, they may designate their contributions for a particular participant or participants; and
- (D) A statement informing contributors that the allocation formula may change if a contributor makes a contribution which would exceed the amount that contributor may give to any participant.

Furthermore, 11 C.F.R. § 102.17(c)(2)(ii)(B) requires, "If one or more participants can lawfully accept contributions that are prohibited under the Act, a statement informing contributors that contributions from prohibited sources will be distributed only to those participants that can accept them."

#### **B.** Application to Facts

#### 1. Santorum 2006 Disclaimer

The Santorum 2006 invitation to the Simmons event was not contained in a printed box, in plain violation of 11 C.F.R. § 110.11(c)(2)(ii).

#### 2. Santorum Victory Committee Disclaimer

The Santorum Victory Committee solicitation did not include the allocation formula for joint fundraising proceeds. It did not include a statement informing contributors that, notwithstanding the stated allocation formula, they may designate their contributions for a particular participant or participants. It did not include a statement informing contributors that the allocation formula may change if a contributor makes a contribution which would exceed the amount that contributor may give to any participant. And though one participant, the Republican Federal Committee of Pennsylvania, can lawfully accept funds prohibited under the Federal Election Campaign Act, the solicitation did not include a statement informing contributors that contributions from prohibited sources will be distributed only to those participants that can accept them. These are clear violations of the disclaimer requirements of 11 C.F.R. § 102.17.

#### 3. Joint Fundraising Without a Joint Fundraising Committee

Both Santorum 2006 and the Republican Federal Committee of Pennsylvania sent invitations raising money for the event at the home of Hilarie and Mitchell Morgan on June 14, 2005. No joint fundraising committee was established, and neither committee was selected as fundraising representative. Instead, the Respondents conducted a joint fundraiser in clear violation of the joint fundraising requirements. There was therefore no public disclosure of how costs were allocated, and no way to ensure that each committee paid its fair share of the fundraising expenses. This activity was a blatant violation of the joint fundraising requirements at 11 C.F.R. § 102.17.

#### III. REQUESTED ACTION

As we have shown, Respondents have violated the Federal Election Campaign Act.

Accordingly, we request that they be enjoined from further violations, be required to repay their illegal contributions and be fined the maximum amount permitted by law.

**Notary Public** 

Sincerely,

William R. Caroselli

SUBSCRIBED AND SWORN to before fle this 25th day of July 2006.

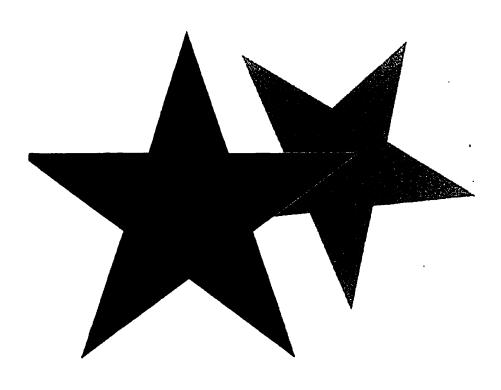
My Commission Expires:

4.27.10

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Antoinette M. Bucci, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Apr. 27, 2010

Member, Pennsylvania Association of Notaries



## Mr. and Mrs. Richard P. Simmons CORDIALLY INVITE YOU TO JOIN THEM IN WELCOMING PRESIDENT GEORGE W. BUSH

## IN HONOR OF U.S. SENATOR RICK SANTORUM

FRIDAY, MARCH 24, 2006 5:00 PM TO 7:00 PM

AT THEIR HOME

#### SEWICKLEY HEIGHTS, PENNSYLVANIA

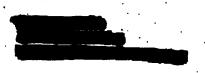
PRIVATE RECEPTION/PHOTO OPPORTUNITY WITH THE PRESIDENT \$10,000 RAISED PER PERSON OR COUPLE PRIVATE RECEPTION

\$1,000 PER PERSON

RSVP BY MARCH 17, 2006. REPLY CARD ENCLOSED. Contributions are not tax deductible for federal income tax purposes. Paid for by Santorum 2006. SANTORUM 2006 8623 Lexington Place Wexford, Pa 15090

01 MAR 2005 PM 5





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#### VICE CHAIRMEN

Mr. & Mrs. Jim Douglass Mr. & Mrs. Edward M. Gallagher, II Mr. & Mrs. Glen T. Meakem Mrs. Christine J. Olson

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Mrs. & Mrs. Cliff Benson
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Mr. & Mrs. William Donahue
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Mr. Robert J. Lewis
Mr. Doug Linn
Mr. & Mrs. Arthur McGovern
Mrs. Eileen B. Melvin
Mr. & Mrs. Brian D. Moyer
Mr. & Mrs. Juergen Mross

List at the time of printing.

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Senator & Mrs. John Pippy
Mr. & Mrs. C. J. Queenan, Jr.
Mr. & Mrs. Donald Rea
Mr. & Mrs. Roger Reschini
Mr. Roger W. Richards
Dr. & Mrs. Loren Roth
Mr. Thomas B. Sapienza
Mrs. Jacqueline O. Shogan
Mr. & Mrs. Russ Swank
Mr. & Mrs. William Tis
Mr. David E. Tungate

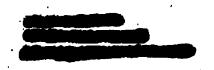
Amy W. Petraglia · c/o Santorum 2006 8623 LEXINGTON PLACE WEXFORD, PA 15090



- PLEASE ALLOW SUFFICIENT TIME FOR SECURITY.
- ALL GUESTS MUST HAVE PHOTO ID TO ENTER THE EVENT.
- ALL BAGS, BRIEFCASES AND PURSES ARE SUBJECT TO SEARCH.
- NO GLASS IS ALLOWED.
- Entrance will be permitted beginning at 3:30 pm.
- SHUTTLE BUS SERVICE WILL BEGIN AT 3:30 PM FROM THE DESIGNATED PARKING LOT AND WILL END PROMPTLY AT 4:30 PM FOR SECURITY PURPOSES.
- PARKING WILL NOT BE PERMITTED ON PREMISES. THERE WILL BE A DESIGNATED PARKING LOT ADJACENT TO THE PROPERTY.
- PLEASE NOTIFY US SHOULD YOU HAVE ANY SPECIAL PARKING NEEDS OR REQUIRE HANDICAP ASSISTANCE.

P.O. Box 186 Sewickley, Pennsylvania 15143 a r





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May 8, 2006

Mr. Thomas A. Leonard

Philadelphia, PA 19103

Dear Thomas:

Please join me in welcoming First Lady Laura Bush to Pennsylvania. Karen and I are truly honored that she is willing to campaign on my behalf, and we hope you will be a part of this important day with us!

On Tuesday, June 13, Mrs. Bush will join us for breakfast at 9:00 a.m. at in "."Ilanova. I am putting a committee together for this event, and I would be honored to include you on the invitation.

I am asking each Chairman to raise or give \$10,000. For this amount, you get the opportunity to meet Laura Bush and have a photo taken with her. Tickets for the breakfast at this beautiful estate will be \$1,000 per person.

As you know, Laura Bush is a former teacher and librarian who has been a champion of literacy and women's health. Her elegant manner and commitment to children have made her extremely popular with the American public. She rarely does political events like this, so I am deeply honored that she had decided to spend the morning with us in Pennsylvania.

With only one week to get the invitation and committee together, I need you to respond as quickly as possibly. I hope that you can join us for this important event with our distinguished First Lady!

To ensure that you are included on the invitation, please call Nadine Maenza at fax or email . Please call or email Nadine today.

Thank you for all you have already done for my re-election campaign. We need to sustain this effort -- and I cannot do it without you.

Sincerely,

Rick Santorum U.S. Senator

## U.S. Senator Rick Santorum

cordially invites you to join him in welcoming

## First Lady Laura Bush

Tuesday, June 13, 2006 9:00 a.m. – 11:00 a.m. Breakfast Reception

## Villanova, Pennsylvania

Chairman with Photo Opportunity - raise or give \$10,000 Breakfast Reception - \$1000 per person

R.S.V.P. Mail	, fax to: Santorum Victory Com	or mittee,	or email . Spring City, PA 19475
K K	lease make checks pay	able to: Santorum	Victory Committee
	e will serve as a Chairman ly Laura Bush.	and raise or give \$10,	000. Please reserve a photograph with
No, I am of \$		rman but will support t	this event. Enclosed is my contribution
Name (to he listed on inv	itation):	<u> </u>	
City:		State	: Zip:
Occupation:		Home Phone:	
Employer:		Work Phone:	
Email:		Fax No.:	

Paid for by Santorum Victory Committee, a joint fundraising committee established on behulf of Santorum 2006 and the Republican State Committee of Pennsylvania. Federal Law requires us to report the name, address, occupation and employer of each contributor who gives more then \$200 in a calendar. Contributions are not tax deductible. Corporate contributions are prohibited.

Photo Opportunity § 10.000 Raised Per Person Or Comple

> Private (Broatsfast Reception § 1. ()(H) Por Parson

Santarum Victory Committee

Spring City, PYT 19475

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Yes, I. Wie will be at attending and agree to raise \$10,000. Please reserve a photograph for me with Mrs. Laura Bush.	
L. 165, if we will be attending, enclosed us a contribution of \$1,000. Attendees are as follows (First and Last Names for nametage, \$SN and DOB for security):	
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2.	1
Social Security, Number: Date of Birth	- 1
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ALL CONTRIBUTIONS AND RELEVANT SECURITY INFORMATION MUST BE RECEIVED BY TIME 10, 2006.	

Puid tor by SANTORUM VICTORY COMMETTES John fuedraising committee authorized by and to benefit Santorum. 2006 and the Federal Republism Committee of Pennsylvante—Vatory 2006 ("VICTORY 2005")

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Joint Fundraising Notice and Contribution Guidelines

The SANTORUM VICTORY COMMITTEE is a joint fundraising economittee to benefit SANTORUM 2006 and the Republican Federal Committee of Pennsylvania - Victory 2006 ("VICTORY 2006").

#### Allocation Formula:

Contributions to the SANTORUM VICTORY COMMITTEE will be allocated as follows:

- 1. The first \$2,100 from an individual to SANTORUM 2006, designated for the general election;
- The next \$10,000 from any individual to VICTORY 2006;
- 3. The first \$5,000 from any multi-candidate PAC to SAN FORUM 2006 for the general election;
- 4. The next \$5,000 from any multi-candidate PAC to VICTORY 2006;
- Contributions from non-qualified political committees shall be allocated in the same manner as contributions from individuals.

Instead of the allocation formula above, donor(s) may designate contributions in different amount(s) or to a specific Participant(s) and such carmarked contributions will be allocated to the Participant(s) in the amount(s) specified by the donor, provided no contribution may exceed the contribution limits under federal law. The allocation formula may change if any contributor makes a contribution that would exceed the amount be or she may havifully give to any participant.

## Additional Information

- Please park at the Villanova University Law School Parking lot, located just minutes from property Villanova. The entrance to the Parking lot is located on County Line Road.
- Coaches will transport guests from Villanova Liniversity starting at 5:00 a.m.
- Breaklast will be served beginning at 8:00 a.m.
- White House has recommended everyone acrive by 8:00 a.m. Roade will be closed as the First Lady acrives.
- No parking is permitted at. but private cars will be permitted to drop off and pick up guests. See directions to
  un the other side.
- \* Photo Identification may be required. Be prepared to law all bags searched.
- · Catheras will be permitted, but not in the photo line. Video Cameras are not permitted.
- Please call If you need handicapped assistance

#### Directions to Event Parking at Villanova University:

Follow I-476 much to exit 13, St. Davids/Villanova (U.S. Route 30). Follow Route 30 cast to the record traffic light at Route 320, Spring Mill Read (Villanova Dinor and Roya) Bank will be on the left). Make a left turn at the light and follow the road over small bridge to the first traffic light at County Line Road (you will pass the front of Villanova's Law School). Make a right at the light onto County Line Road and go to the second antenne on the right where you can enter the parking lot for the Law School.

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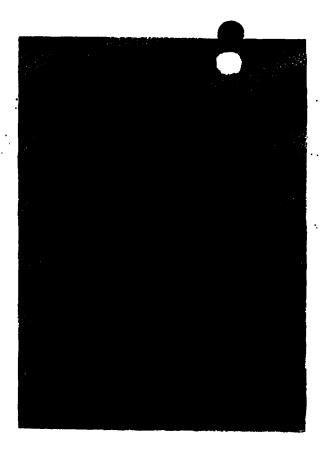
Please fill this out and return if you wish to allocate the contribution differently then listed on the other side;

] I/we wish to allocate o	ur joint or my indivi	dual contrib	ution as follows:
(self)	\$	_ (spouse)	SANTORUM 2006 general election
\$ (self)	S	. (spouse)	VICTORY 2006
Signature of Contributors_			
		د ده عمرو په پاندر خيس- ادامه	
Contributions from corpor	ations, forcion nation	rale lackino r	permanent resident status and federal

Contributions from corporations, foreign nationals lacking permanent resident status and federal contractors may not be accepted by the SANTORUM VICTORY COMMUTEE or either of the participating committees.

The maximum an individual may contribute to a federal candidate is \$2,100 to be allocated per election and \$10,000 per calendar year to a federal account of a state party committee. Couples may contribute \$24,200 if each spouse so designates the contributions. Qualified multi-randidate PACs may contribute \$10,000 to SANTORUM VICTORY COMMITTEE (\$5,000 to be allocated to SANTORUM 2006 general election and \$5,000 to be allocated to VICTORY 2006). Non-qualified PACs may contribute \$2,100 per election to a federal candidate and \$10,000 to a federal account of a state party committee.

No.93/U h. 2



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## Genator & Mrs. Aston Species Event Chairs

Co-Chairmon

Nayla & Antun Anced
Joyce & Robert Asher
Donna & John Barta
Sabina & Raza Bakhari
Janet & Bill Bonenberger
Katen & Carl Buchholz
Robert E. Chappell
Lisa & Joe Corcoran
Debro & Michael Coslor
Marc A. Curcillo
Eileen & Nick DeBenedictis
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Kathleen & Alfy Putnam

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Laura & Eugene Schriver

Saundra & Geoffrey Shepard

Diane L. Slifer

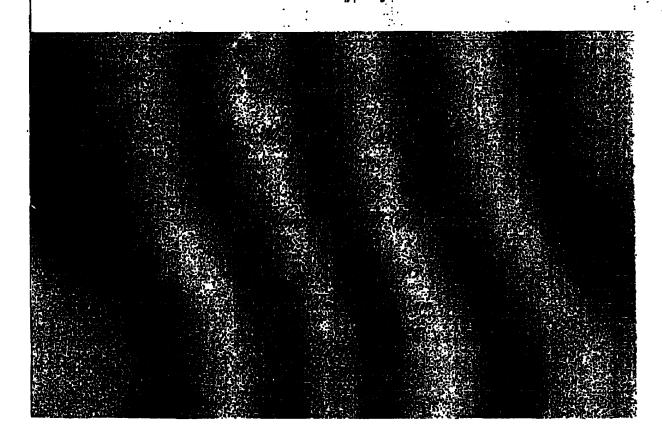
Clint Stuptebeck

Ann & Myles Tanenbaum

Robbi & Bruce Toll

Alicia & Fran Van Kirk

Leo P. Vergnett





# HILARIE AND MITCHELL MORGAN CORDIALLY INVITE YOU TO JOIN THEM IN WELCOMING

## PRESIDENT GEORGE W. BUSH

# U. S. SENATOR RICK SANTORUM

Tuesday, June 14, 2005 Luncheon Reception 11:00 am to 1:00 pm

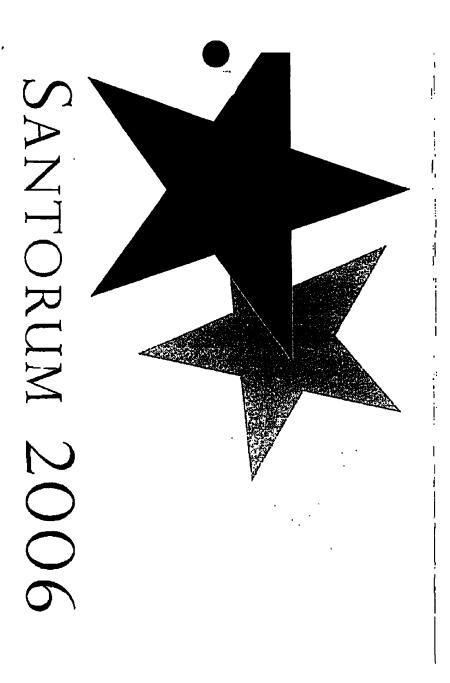
AT THEIR HOME

## BRYN MAWR, PENNSYLVANIA

PHOTO OPPORTUNITY WITH THE PRESIDENT PRIVATE LUNCHEON RECEPTION LUNCHEON RECEPTION

\$10,000 Raised per person or couple \$1,000 per person \$500 per person or couple

RSVP BY JUNE 10, 2005. REPLY CARD ENCLOSED.



# SANTUM 2006 FINANCE CHAIRMAN

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Jeannie & Michael O'Nelll Scott Paterno June & Chuck Piola Patricia K. Poprik Alfred W. Putnam, III John Samo Franklin K. Schoeneman George R. Shadie Sherry & Jay Sidhu Manny Stamatakis Trudy & Doug Steinhardt Ann & Myles Tanenbaum Kenneth L. Tepper Michael J. Tierney Fran Van Kirk Leo Vergnetti James J. White, IV

## VID GIRARD-DICARLO SANTORUM 2006 FINANCE CHAIRMAN

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Vito F. Canuso, Jr.

Thomas V. Chiomento, Ill

Anthony Vincent Coletta

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Elleen Thompson

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Anita E. Zalewski

List at the time of printing.

Federal law requests us to obtain and repr	ort the name, acid	ress, occupation and name of	PAID FOR BY SANTORUM 2
emplayer for each individual whose contributions aggregate 1 4 of \$200 in an election cycle,   Full Name   Salutation			CHECK CONTUBITIONS The contribution to Soutonian 2006
Spouse Name			drawn on check #
Address			represents my personal funds and is not drawn on an account maintained by an
City	State Zip incorporated entity.		incorporated entity.
Home Phone	Office Planne		Signature of Original Contributor
Fax Phone	Email		JOINT CONTRIBUTIONS  If this contribution is intended to be a
Employe:	Occupation		contribution from bushand and wife, signature of spouse must be provided.
Spoose's Employer (if joint contribution)	Spouse's Occupation (if joint contribution)		Signature of Spouse
	unds, and is not drawn o	orum 2006 is drawn on my p n an account maintained by as Carthokler Name	erional credit card, represents my personal a incurpurated entity;
Amount of Dunation:\$			
Card Number	Exp. Date		

## U.S. SENATC: RICK SANTORUM FRIDAY, MARCH 24, 2006

☐ Yes, I/We will be attending and agree to raise \$10,000. Please reserve a photograph for me with President George W. Bush.		
in the amount of \$(\$10	neral Reception and have enclosed a contribution 000 per person) forreservations.  nes for nametags, SSN and DOB for security):	
1	ies for faunciags, and and book for security j.	
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☐ No, I am not able to attend but ha	ive enclosed a contribution of \$	
ALL CONTRIBUTIONS AND RELEVAN BY MARCH 17. 2006.	T SECURITY INFORMATION MUST BE RECEIVED	
Contributions to Santorum 2006 are not deductible as of payable to Santorum 2006. For further information, call Carey Dunn at by email,	haritable contributions for federal income tax purposes. Please make check Amy Petraglia at or by cosall, call	

# Event Chairmen

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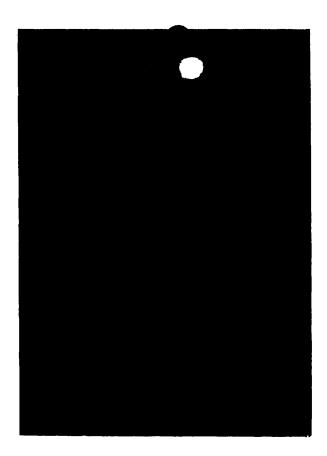
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Threshay, June 14, 2000

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## Co-Chairmen

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